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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/749,175 | 12/27/2000 | Rohn Bowden | US000203 | 4958 |
| 7590 | 07/14/2005 | | EXAMINER | |
| Richard L Mayer Esq Kenyon & Kenyon One Broadway New York, NY 10004 | | | WHIPKEY, JASON T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2612 | |

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/749,175 | BOWDEN ET AL. |
| | Examiner | Art Unit |
| | Jason T. Whipkey | 2612 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 April 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 3,4,7 and 8 is/are allowed.
 6) Claim(s) 1,2,5,6 and 9 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 15 October 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4, 2005, has been entered.

Change of Examiner

2. The examiner of record for this application has been changed to Jason Whipkey. Any inquiry regarding this application should be directed to the new examiner. Current contact information is provided in the last section of this communication.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 2, 5, 6, and 9 have been considered but are moot in view of the new grounds of rejection.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because Figure 1B includes the reference character “108” not mentioned in the description. Corrected drawing sheets in compliance with 37 CFR 1.121(d) or an amendment to the specification to add the reference character in the description in compliance with 37 CFR 1.121(b) is required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, Applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers (U.S. Patent No. 5,418,567) in view of Schieltz (U.S. Patent No. 6,061,087).

Regarding **claim 1**, Boers discloses a camera assembly (see Figure 1) which comprises:

a housing (surveillance camera system 10) having sidewalls (truncated cone 14) to which is attached an optical surface (dome 50), the housing enclosing a camera system (camera 55), wherein the optical surface is rotatable relative to the housing in a closed, coupled engagement after the camera system is positioned in the housing (see column 3, line 65, through column 4, line 14).

Boers is silent with regard to the housing including a mounting cap attached to the sidewalls.

Schieltz discloses a camera enclosure, as shown in Figure 1. The enclosure includes cover 18 attached to the main body of the enclosure by spacers 181.

An advantage of including a cover on the top of a camera housing is that the equipment inside may be protected. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Boers's camera assembly include the cover disclosed by Schieltz.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers in view of Schneider (U.S. Patent Application Publication No. 2003/0053806).

Regarding **claim 2**, Boers discloses a camera assembly (see Figure 1) having:

a housing (surveillance camera system 10) which comprises an optical dome (dome 50) rotatable relative to the housing in a closed, coupled engagement (see column 3, line 65, through column 4, line 14).

Boers is silent with regard to engaging the dome using a circumferential seal.

Schneider discloses a pressurized camera housing with a circumferential seal (O-ring seal 44) attached to a circumferential flange portion of the housing (projecting rim 40; see paragraphs 9, 24-27, and 29-30).

As stated in paragraph 23, an advantage of including such a seal is that contaminants such as moisture, dust, insects, and debris are prevented from entering the enclosure. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Boers's camera assembly include the circumferential seal described by Schneider.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers in view of Schieltz and further in view of Kutman (U.S. Patent No. 4,736,218).

Claim 5 may be treated like claim 1. Additionally, Boers teaches that the optical surface is a substantially opaque dome with a transparent window (see column 4, lines 1-3). However, Boers is silent with regard to rotating the dome until the camera is aligned with the transparent window.

Kutman discloses a camera support and housing with a dome-shaped enclosure 12 including glass window 22 (see column 4, lines 36-45, and Figure 5). When the window and the dome are mismatched, dome enclosure 12 rotates faster than the contained camera in order to align the camera with the window (see column 11, line 62, through column 12, line 6).

An advantage of rotating the dome to align a window with a camera is that the camera's functionality will be ensured, as it will never be blocked by the opaque section of the dome. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Boers's camera assembly include the dome rotation correction described by Kutman.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan (U.S. Patent No. 6,643,456) in view of Boers and Schneider.

Regarding **claim 6**, Ryan discloses a camera assembly that comprises:

a camera housing (Figure 1A) having a mounting cap (140) attached to a top wall (120), and sidewalls (126) to which is attached an optical surface (135), the camera housing enclosing a camera system (see column 3, lines 49-50); and
an environmental shroud (190) attached to the camera housing and effective to reflect and/or deflect heat energy (see column 3, lines 60-66), dissipate heat energy not reflected or deflected (see column 4, lines 3-6), and protect the camera housing from the ingress of moisture (see column 3, lines 53-54).

Ryan is silent with regard to including an rotatable optical dome.

Boers discloses:

an optical dome (dome 50) rotatable relative to a housing in a closed, coupled engagement (see column 3, line 65, through column 4, line 14).

An advantage of including a rotatable dome is that the camera can be concealed while still allowing it to shoot from any direction. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Ryan's camera rotate, as described by Boers.

Boers is silent with regard to engaging the dome using a circumferential seal.

Schneider discloses a pressurized camera housing with a circumferential seal (O-ring seal 44) attached to a circumferential flange portion of the housing (projecting rim 40; see paragraphs 9, 24-27, and 29-30).

As stated in paragraph 23, an advantage of including such a seal is that contaminants such as moisture, dust, insects, and debris are prevented from entering the enclosure. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Ryan's camera assembly include the circumferential seal described by Schneider.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan in view of Boers and Schneider and further in view of Kutman.

Claim 9 may be treated like claim 1. Additionally, Boers teaches that the optical surface is a substantially opaque dome with a transparent window (see column 4, lines 1-3). However, Boers is silent with regard to rotating the dome until the camera is aligned with the transparent window.

Kutman discloses a camera support and housing with a dome-shaped enclosure 12 including glass window 22 (see column 4, lines 36-45, and Figure 5). When the window and the dome are mismatched, dome enclosure 12 rotates faster than the contained camera in order to align the camera with the window (see column 11, line 62, through column 12, line 6).

An advantage of rotating the dome to align a window with a camera is that the camera's functionality will be ensured, as it will never be blocked by the opaque section of the dome. For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Ryan's camera assembly include the dome rotation correction described by Kutman.

Allowable Subject Matter

12. Claims 3, 4, 7, and 8 are allowed.

Regarding **claims 3, 4, 7, and 8**, no prior art could be located that teaches or fairly suggests a camera assembly having a housing with a circumferential seal attached to a circumferential flange, wherein the circumferential seal has an S-shaped cross section and two grooves, each containing a flange portion.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

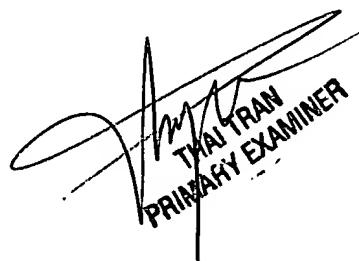
Art Unit: 2612

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Whipkey, whose telephone number is (571) 272-7321. The examiner can normally be reached Monday through Friday from 9:00 A.M. to 5:30 P.M. eastern daylight time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached at (571) 272-7308. The fax phone number for the organization where this application is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTW
JTW
June 29, 2005



A handwritten signature in black ink, appearing to read "JTW". Below the signature, the name "THAI TRAN" is written vertically, followed by "PRIMARY EXAMINER" in a slightly smaller font.